



## Iraq

### International Religious Freedom Report 2005

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Coalition-led forces overthrew the Ba'athist regime of Saddam Hussein in April 2003. As recognized in U.N. Security Council Resolutions (UNSCR) 1483, 1511, and 1546, an Interim Administration--the Coalition Provisional Authority (CPA)--administered the country until the establishment of an internationally recognized, representative government. The Iraqi Governing Council (IGC), recognized by UNSCR 1500 as the principal body of the Iraqi interim administration during the period of the CPA, adopted the Law for the Administration of the State of Iraq for the Transitional Period--the Transitional Administrative Law (TAL)--in March 2004. The new Iraqi Interim Government (IIG), consistent with UNSCR 1546, assumed full governmental authority in June 2004. In January, the country held its first free election, choosing a Transitional National Assembly, which appointed the Transitional Government in May.

The TAL established a republican, federal, democratic, and pluralistic system with powers shared among the federal and regional governments, including 18 governorates, as well as municipalities and local administrations. The TAL provides for freedom of religion, and the Government generally respects this right in practice. Article 7 of the TAL recognizes Islam as the official religion of the state and mandates that it be considered a source of legislation.

Despite the ongoing insurgency and the Government's focus on rebuilding the country's infrastructure, there were improvements in respect for religious freedom during the reporting period. For decades, the former regime conducted a brutal campaign of killing, summary execution, and protracted arbitrary arrest against the religious leaders and followers of the majority Shi'a Muslim population and sought to undermine the identity of minority non-Muslim groups. Since the 2003 liberation, the Government has not engaged in the persecution of any religious group, calling instead for tolerance and acceptance of all religious minorities.

While the Government respected the right of the individual to worship according to conscience, conservative and extremist Islamic elements continued to exert tremendous pressure on other groups to conform to radical interpretations of Islam's precepts. Although this impacted the secular population, Sunni and Shi'a alike, non-Muslims were especially vulnerable to the pressure of violence and terror attacks because of their minority status and lack of a tribal structure, which often affords a layer of protection.

The U.S. Government discusses religious freedom issues with the Government as part of its overall policy to promote human rights. Senior U.S. Administration and Embassy officials called for unity in the face of sectarian violence, supported the inclusion of religious minorities in the political and constitution drafting processes, and facilitated interfaith discussion with all members of the country's diverse religious communities.

#### Section I. Religious Demography

The country has an area of 437,072 square miles, and its population is approximately 26 million. An estimated 97 percent of the population is Muslim. Shi'a Muslims--predominantly Arab, but also including Turkmen, Faili Kurds, and other groups--constitute a 60 to 65 percent majority. Sunni Muslims make up 32 to 37 percent, of the population of whom approximately 18 to 20 percent are Sunni Kurds, 12 to 16 percent Sunni Arabs, and the remainder Sunni Turkmen. The remaining 3 percent comprises Chaldean (an eastern rite of the Catholic Church), Assyrian (Church of the East), Syriac (Eastern Orthodox), Armenian (Roman Catholic and Eastern Orthodox), and Protestant Christians, as well as Yazidi, Sabeen (Mandaean), Baha'i, Kaka'i, and a small number of Jewish believers. Shi'a, although predominantly located in the south, are also a majority in Baghdad and have communities in most parts of the country. Sunnis form the majority in the center and the north of the country. Shi'a and Sunni Arabs are not ethnically distinct.

According to official estimates, the number of Christians decreased from 1.4 million in 1987 to fewer than 1 million. The majority of Christians are Catholic. Christian leaders estimate that approximately 700,000 Iraqi Christians live abroad.

Church leaders in Erbil and Mosul say Christians in the north account for roughly 30 percent of the country's Christian population. Four of the five largest Christian communities are located in Mosul (150,000), Erbil (20,000 to 25,000), Dohuk (13,000), and Kirkuk (12,000). According to the Primate of the Armenian Diocese, approximately 20,000 Armenian Christians

remain in the country. An estimated 12,000 reside in Baghdad, and the remainder in Mosul, Basrah, Kirkuk, and the north. There are approximately 225,000 Assyrian Christians and an estimated 750,000 Chaldeans. Chaldean and Assyrian Christians, who are descendants of some of the earliest Christian communities, have the same ethnic and linguistic background but are considered by some to be distinct ethnic groups. The communities speak a distinct language (Syriac). Although the former regime classified them as Arabs, both the Chaldeo-Assyrians and the Government now consider this group as an ethnicity distinct from Arabs and Kurds; however, there are some Chaldeans and Assyrians who consider themselves Arab. Chaldeans (Eastern Rite Catholics) recognize the primacy of the Roman Catholic Pope, while the Assyrians, who are not Catholic, do not.

The Yazidi are a syncretistic religious group, or a set of several groups, with ancient origins and comprising elements of Zoroastrianism, Manicheism, Islam, Christianity, Judaism, and Gnostic beliefs and traditions. Yazidi do not intermarry with outsiders or accept converts. Defined by the former regime as Arabs, many Yazidi now consider themselves to be Kurds, while others define themselves as both religiously and ethnically distinct from Muslim Kurds. Most of the 700,000 Yazidi reside in the North.

Sabeian is an ancient religion dating from the first 3 centuries C.E. and reflects numerous religious influences, including ancient Gnostic, Jewish, and Christian beliefs. The Sabeian community continues to decline; according to Sabeian leaders, fewer than 20,000 remain in the country. While some Sabeians fled the tyranny of the former regime, this decline could also be attributed to the fact that converts are not accepted, and those Sabeians who marry Christians or Muslims are no longer regarded as Sabeian.

The Kaka'i, sometimes referred to as Ahl-e-Haqq, reside primarily in Kirkuk, Mosul, and Kankeen in Diyala Province. Primarily Shi'a Kurds, followers believe in the teachings of Imam Ali Bin Talib. Most are of Kurdish ethnicity.

While there are both Muslims and non-Muslims who are of secular orientation, there tends to be a distinct correlation between religious differences and ethnic or political differences. Political parties tend to be organized along religious or ethnic lines. For example, Shi'a Islamist parties, such as the Supreme Council for Islamic Revolution in Iraq (SCIRI) and Da'wa, as well as some Kurdish nationalist parties, such as the Kurdistan Democratic Party (KDP) and Patriotic Union of Kurdistan (PUK), are predominant political forces. Other political players include the Sunni Iraqi Islamic Party and other ethnic minority parties, such as the Assyrian Democratic Movement and the Liberal Faili Kurds Organization.

There was no data available on active participation in religious services or rituals; however, terrorist attacks rendered unusable many mosques, churches, and holy sites. Additionally, many worshippers reportedly did not attend religious services or participate in religious events because of the threat of violence. For example, the most important Yazidi ritual, the annual 6-day pilgrimage to the tomb of Sheikh Adii in Lalish, still took place; however, many Yazidi preferred to remain in local houses of worship to celebrate this event due to security concerns. There were numerous reports of places of worship closing due to those fears.

The Government provided significant support for the Hajj, which is the annual 10-day pilgrimage to Mecca during the beginning of the Islamic month of Thi-Alhejja. The Sunni and Shi'a Waqfs, or religious endowments, accepted applications from the public and submitted them to the Supreme Council for the Hajj. This Council approved the list of approximately 27,000 names and covered approximately 50 percent of the pilgrims' expenses.

## **Section II. Status of Religious Freedom**

### *Legal/Policy Framework*

The TAL provides for freedom of religion, and the Government generally respects this right in practice. The TAL recognizes the Islamic identity of the majority of the citizenry and guarantees the full rights of all individuals to freedom of religious belief and practice. Specifically, article 13(F) of the TAL recognizes every citizen's right to freedom of thought, conscience, and religious belief and practice, prohibiting coercion in such matters.

It is the Government's policy to protect the rights of all religious groups to gather and worship freely; however, in practice, the ongoing insurgency impeded the ability of many citizens to worship freely. Additionally, the Iraqi Security Forces (ISF) were not yet operating at full capability and were unable either to prevent or remedy effectively violations of these rights.

Article 7 of the TAL recognizes Islam as the official religion of the state and mandates that it be considered a source of legislation. According to this article, during the transitional period no law may be enacted that contradicts the universally agreed tenets of Islam, the principles of democracy, or the rights enumerated in Chapter 2 of the TAL, which include the right to freedom of thought, conscience, and religious belief and practice, as well as a guarantee of equality before the law without regard to gender, sect, opinion, belief, nationality, religion, or origin.

Many Muslim holy days are also national holidays, including, Ashura, Arbai'n, Eid al-Fitr, Eid al-Adha, and the Birth of the Prophet. Although some non-Muslim holy days, such as Christmas, are recognized as holidays, only Muslim holidays are officially recognized as national holidays.

Non-Muslims complained that although the Government recognizes their religious holidays by law, in practice there is general

disregard for those holidays. Schools routinely scheduled examinations during non-Muslim holidays, and no special dispensation was given to students wishing to observe them.

Religious groups are required to register with the Government. According to the Christian and Other Religions Endowment, approximately 20 foreign missionaries applied to operate in the country since the liberation; however, only 13 remain in the country. After learning of the registration requirements, which include having at least 500 followers, none of the organizations returned to complete the registration process.

The Government permits religious instruction in public schools, and in most of the country students must study Islam for approximately 3 hours daily, in both primary and secondary school, as a requirement for graduation. Religious study is not mandatory in the north. Non-Muslim students are not required to participate in Islamic studies; however, some non-Muslim students reported that they felt pressure to do so. Alternative religious study is provided for in the curriculum of non-Muslim schools.

The law does not mention a penalty for the conversion from Islam to non-Islamic faiths. Article 1(2) of the Personal Status Law No. 188 of 1959, states: "If no legislative text can be applied, then the judgment should be taken from Shari'a principles (Islamic law) most suitable to the texts of this law." Under Islamic law, conversion to another religion is a criminal offense subject to the death penalty. Article 1 of the Iraqi Penal Code No. 111 of 1969, however, mandates that criminal penalties can only be imposed by law. Thus, despite the Shari'a punishment for conversion, the Iraqi penal code does not import the Shari'a penalty, nor does it contain a similar penalty. The Law of Civil Affairs No. 65 of 1972 explicitly allows non-Muslims to convert to Islam.

Revolutionary Command Council (RCC) Resolution 201 of 2001, which prohibits the Wahhabi branch of Islam and mandates the death penalty for adherents if the charge is proved, and Law No. 105 of 1970, which prohibits the Baha'i Faith, are technically still part of the law. The TAL's provisions on freedom of religion should, by the terms of the TAL, supersede these laws; however, at the end of the reporting period, no court had ruled on them in relation to the TAL.

Although the Personal Status Law of 1959 calls for incorporation of Shari'a into the law in the absence of legislative text on a matter, Article 2(1) expressly exempts from its application individuals covered by special law. Such special law includes British Proclamation No. 6 of 1917 and the Personal Status Law of Foreigners, No. 38 of 1931. Proclamation No. 6 provides that the country's civil courts consult the religious authority of the non-Muslim parties for its opinion under the applicable religious law and apply this opinion in court. The Personal Status Law of Foreigners requires that courts apply the municipal law of the foreign litigants to resolve their domestic law matters.

#### *Restrictions on Religious Freedom*

Government policy and practices did not interfere with the free practice of religion; however, the ongoing insurgency had a significant, negative impact on the ability of all religious believers to practice their faith. Additionally, the ISF's lack of capability and capacity resulted in deficiency in the rule of law, which impeded the right of citizens to worship according to their conscience.

The country's first democratically elected government was generally representative of the country's diversity, despite the Sunni boycott of the January elections. The Sunni Arab minority had seats in the Transitional National Assembly (TNA) but proportionally far fewer than their share of the overall population. Sunni Arabs held positions in the cabinet, including senior positions, such as minister of defense, vice president, and deputy prime minister. Some non-Muslim minorities, such as the Sabeans, were not represented in either the TNA or the Government.

The Government did not restrict the formation of political parties based on a particular faith, religious beliefs, or interpretations of religious doctrine. Although the political coalitions created for the January elections were based predominantly on religion or ethnicity, religious belief or ethnicity was not a requirement for participation. For example, the Kurdish List, which won 27 percent of the seats in the TNA, comprised Sunnis, Shi'a, Christians, and Yazidi; the Iraqiyun List also included different ethnicities and religions. Likewise, the winning Shi'a Coalition, although comprising predominantly Shi'a Islamists, also included religious and ethnic minorities, such as Sunnis, Yazidi, Kurds, Turkmen, and Shabak. The Shi'a Coalition also included secular Shi'a and political independents not associated with any religious party.

The composition of the Transitional Government reflected the majority status of the Shi'a, who were politically and economically disadvantaged under the former regime. Although the Transitional Government publicly supported the freedom of all individuals to worship as they chose, there were some reports of discrimination by Shi'a elements in the Government against Sunni and non-Muslim minorities.

The Wahhabi branch of Islam and the Baha'i Faith are technically prohibited by law; however, the TAL's provisions on freedom of religion should, by the terms of the TAL, supercede these laws. Nonetheless, by the end of the reporting period, no court had ruled on these laws in relation to the TAL.

The Personal Status Law of Foreigners requires that courts apply the municipal law of the foreign litigants to resolve their domestic law matters. Despite this exception in the 1959 Personal Status Law, there are instances in which this law, based on Shari'a principles, applies to non-Muslims, thereby overriding rules particular to their religion. For instance, the law forbids the

marriage of a Muslim woman to a non-Muslim; also, in the distribution of inheritance, a female receives one-half of what a male receives.

Many residents on the Ninewah Plain, who are mostly non-Muslim, were unable to vote in the January elections. According to the Assyrian International News Agency, only 93 of 330 polling places opened, ballot boxes were not delivered, and incidents of voter fraud and intimidation occurred. This resulted from administrative breakdowns on voting day and the refusal of Kurdish security forces to allow ballot boxes to pass to predominantly Christian villages, denying as many as 100,000 Assyrian Christians and smaller numbers of Sabeans of their right to vote in the elections. After an investigation of these allegations, the Independent Electoral Commission of Iraq (IECI) acknowledged that the voting facilities in Ninewah were inadequate. The IECI claimed that these irregularities were a manifestation of the poor security situation in Ninewah, Anbar, and other regions and not a problem that exclusively affected a particular segment of the population.

Passports do not indicate an individual's religion; however, religion is explicitly noted on the "jentsia," or national identity card.

Government employees were not prohibited from displaying elements of their religion, nor were they required to take any religious oaths as a condition for employment.

Students generally were not prohibited from practicing elements of their faith in school; however, during the reporting period, non-Muslim minorities and secular Arabs in some schools were increasingly forced, often under the threat of violence, to adhere to conservative Islamic practices. During the reporting period, Basrah's Education Director instituted a policy requiring all females in the schools to cover their heads. Additionally, all female university students in Mosul, even non-Muslims, were required to wear the hijab, or headscarf.

Disputes between Sunnis and Shi'a over mosques continued. According to the Shi'a Waqf, approximately 25 mosques built by the Shi'a were appropriated by the Saddam regime but have not been returned. The Sunni Arabs claimed that the Shi'a occupied 40 Sunni mosques. Additionally, there were approximately 35 mosques built under the former regime with state funds whose ownership had yet to be determined. Although a commission comprising Sunni and Shi'a representatives was established after liberation to address the question of religious property restitution, the issue remained unresolved.

Authorities have not permitted entry of religious pilgrims into the country to visit religious sites since the escalation of violence associated with the ongoing insurgency. Numerous pilgrims, primarily from Iran and Afghanistan, were detained during the reporting period, mainly because of security concerns. On May 19, in a joint press statement with the Iranian Foreign Minister, the Government announced an amnesty for the immediate release of Iranian pilgrims. The Prime Minister subsequently issued the order to implement the amnesty; however, the Presidency Council failed to do so. Nonetheless, some Iranians were released.

#### *Abuses of Religious Freedom*

The Government does not officially engage in or tolerate abuses of an individual's right to religious freedom. However, it focused most of its resources and attention on the ongoing insurgency and reconstruction efforts during this reporting period; thus, it did not have the capacity to address actively issues relating to freedom of religion.

Many attributed the violence in the country--especially what appeared to be an upsurge in sectarian violence in early May--to terrorists, alleging they were responsible for killing Sunni and Shi'a clerics in an effort to incite sectarian violence. There were also numerous allegations that the ISF--specifically the Ministry of Interior's (MOI) Quick Reaction Forces (Wolf Brigade)--abducted, detained, tortured, and carried out extrajudicial killings against members of the Sunni Arab minority. In its May 21 communiqué, the Sunni Waqf condemned the raids and ISF's detentions of clerics and worshippers and demanded the establishment of an independent legal committee to investigate the alleged murder and torture of detainees. Also in May, the Minister of Interior announced he would launch an investigation, but no results were made public by the end of the reporting period, and no security official was known to have been punished for abuses of religious minorities.

The Sunni Arab community often cited ISF raids of its mosques and religious sites as an example of targeting by the Shi'a-dominated Government. On September 4 2004, approximately 150 police in Baghdad surrounded the Iraqi Institute of Peace (IIP), which is associated with the Anglican-sponsored International Center for Reconciliation. Police, looking for an insurgent, broke down the doors and ransacked the IIP building, stealing telephones and money. Four individuals identified themselves as being from the Ministry of Interior (MOI) but did not show badges. None of the 150 police wore uniforms or insignia. The incident ended with no serious injuries.

On May 5, ISF found the bodies of 14 Sunni farmers from Mada'in. According to witnesses, including one farmer who managed to escape, men in police uniforms detained, tortured, and killed the farmers. Their bodies were found buried in a mass grave near Sadr City in Baghdad. Because terrorists sometimes wear ISF uniforms, it is not clear who was responsible. MOI undertook an investigation of the incident, and the final results were pending at the end of the reporting period.

On May 19, ISF raided Baghdad's prominent Sunni Abu Hanifa Mosque as Friday prayers were ending, reportedly to detain alleged terrorists. Local leaders complained that gas was used and women were abused. The Prime Minister subsequently provided funds to the Sunni Waqf and promised a full investigation of the incident. On May 21, ISF broke into Amarra's Hetteen Mosque on the grounds that it was harboring terrorists. Subsequently, the ISF turned the mosque over to the Shi'a Endowment,

which changed the mosque's name to Fatima Al Zahraa mosque.

Reports charged that several ministries, including Health and Communications, conducted large-scale firings of employees who were not Shi'a, often on the grounds that the employees fired were senior Ba'athists and/or security risks. Some non-Muslims accused the Government of discrimination, claiming that unqualified Shi'a applicants received preference over qualified non-Muslims. The Yazidi, while represented in the TNA, did not hold positions in either the Transitional Government or the Kurdistan Regional Government (KRG) at the director general level or above.

There were allegations that the KRG engaged in discriminatory behavior against religious minorities. Minorities such as Christians living north of Mosul claimed that the KRG confiscated their property without compensation and began building settlements on their land. Assyrian Christians also alleged that the KDP-dominated judiciary routinely discriminated against non-Muslims and failed to enforce judgments in their favor. Despite the allegations of KRG discrimination against religious minorities, many non-Muslims fled north from the more volatile areas in the middle and southern parts of the country where pressures to conform publicly to narrow interpretations of Islamic teaching were greater.

Sunni Arab leaders accused the Badr Organization, led by a TNA member, of assassinating Sunni clerics. Originally called the Badr Corps, this Shi'a militia was founded in the 1980s in Iran as a militant wing of SCIRI. It was trained and funded by the Iranian military and previously led by current SCIRI head Abd-al-Aziz Hakim. The group claimed it has relinquished its weaponry and become a strictly political organization, but few citizens believed this.

On May 20, Sunni mosque speakers and imams announced during Friday prayers the closure of mosques for 3 days in protest of the killing of clergy and raids against mosques. The day before, the Muslim Ulema Council issued a statement condemning the ISF and claiming that it had killed numerous imams and detained individuals praying in mosques. In a May 18 press conference, the head of the Muslim Scholars Association declared that police commandos and the Badr Organization killed two Sunni clerics during the week and called the series of killings "state terrorism by the Ministry of Interior." He presented no evidence. The Badr Organization and Shi'a Political Council subsequently rejected the allegations. Sunni leaders claimed that the Government's Wolf Brigade shot to death the Imam of Al-Shuhada Mosque, Hamid Mukhlif al-Dulaimi, on May 15 in his home in Baghdad. Sunni leaders also alleged that the Wolf Brigade detained and tortured Muslim Scholars Association Shura Council member Sheik Hassan al-Naimi with a drill before shooting and killing him. MOI denied the involvement of the Wolf Brigade in these murders and promised an investigation of the incidents. The outcome of that investigation was pending at the end of the reporting period.

The previous regime appropriated a Sabean social club in Baghdad for which the community was given a check for approximately \$100,000 (160 million dinar). However, when the Sabeans submitted the check to the Ministry of Finance for payment in 2003, they were told that the signature was not legitimate, and payment on the check was refused. The Sabeans had neither gained back their property nor received compensation for it by the end of the reporting period.

The Armenian Church of Iraq was working with government officials to obtain the return of properties that the former regime forced it to sell. Although the church was paid fair market value for six properties in Mosul, Basrah, Kirkuk, Baghdad, and Dohuk, it was forced to sell the properties under pressure. Church officials said discussions with the Transitional Government yielded no results during the reporting period; however, they were optimistic about the KRG's return of property in the north.

#### *Forced Religious Conversions*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States. However, there were reports that Islamic extremists threatened, kidnapped, and even killed Mandaeans for refusing to convert to Islam.

#### *Abuses by Terrorist Organizations*

The ongoing insurgency affected every segment of the population, Sunni, Shi'a, and non-Muslim alike. Minister of Interior Baqr Jabr announced on June 5 that 12,000 citizens, 10,000 of them Shi'a, perished in the previous 18 months of violence. Many believe that Sunni Arabs and former regime elements were responsible for the violence; however, Sunnis were also often among the victims.

While the general lawlessness that permitted criminal gangs and insurgents to victimize citizens with impunity affected Iraqis of all ethnicities and religions, many individuals were targeted because of their religious identity or secular leanings. Individuals fell victim not only to harassment and intimidation but also to kidnapping and even murder. Women and girls often were threatened, assaulted with acid, and even killed for refusing to wear hijab or for dressing in western-style clothing. Some women claimed they were denied employment and educational opportunities because they were non-Muslim, did not dress in accordance with conservative Islamic norms, or did not sufficiently adhere to strict interpretations of religious rules governing public behavior.

On March 17, Muqtada al-Sadr loyalists attacked picnicking Basrah University students, claiming they were violating the principles of Islam with their western-style clothing, singing, and dancing. The Sadrists fired guns at the students and beat them with sticks. University officials reported that at least 15 students were hospitalized, many with serious injuries. One student reportedly died in the incident.

Islamist militants harassed shopkeepers for providing goods or services they considered to be inconsistent with Islam and sometimes killed them for failing to comply with warnings to stop such activity. During the reporting period, leaflets were distributed in the town of Yousifiya forbidding the sale of cigarettes and cautioning barbers not to cut hair in the modern styles or use thread in removing facial hair, which results in smoother, more feminine-looking facial skin. In late December, captors took an Armenian Christian in Mosul from his business to a nearby mosque and told him to ask forgiveness for providing musical entertainment at parties. Warned to cease his activities or risk the welfare of his family, the man chose to close his business.

Liquor store owners, primarily Christians and Yazidi, were especially hard hit in attacks by Islamic extremists during the reporting period. In August 2004, masked gunmen shot and killed Sabah Macardige in Baghdad during broad daylight for selling alcohol. According to witnesses, Macardige had received warnings to stop selling liquor. In April, liquor store owner Sabah Sadiq's brother was kidnapped. Sadiq was shot on his way to pay the ransom demanded by the kidnappers. In June, armed intruders broke into Sami Tammu's liquor store in Baghdad and shot and killed him when he tried to escape. Liquor stores in Baghdad, Mosul, and Basrah were bombed, looted, and defaced. The Christian and Other Religions Endowment reported that approximately 95 percent of such establishments closed due to threats by Islamic extremists.

The Christian and Other Religions Endowment reported that, after a series of church bombings and incidents of violence targeting Christians during the reporting period, approximately 200,000 non-Muslims left the country or fled to the North. Many remained in Jordan or Syria awaiting improvement in the security situation.

On August 1 2004, four churches in Baghdad and two churches in Mosul were bombed. It was reported that 40 persons were killed and 300 injured in the Baghdad bombings alone. Christian leaders blamed foreign terrorists, including Al-Qaeda, for the attacks. Reportedly, Islamic extremists broke into a Chaldean Catholic home near Mosul on October 14 2004, and killed a 10-year-old boy because he was a Christian. On September 27 2004, four armed men killed seven Assyrian Christians in a terrorist attack in Dora.

A succession of car bombs on October 16 exploded near five churches in the early morning hours; however, there were no injuries. A November 9 car bombing at both St. George and Baghdad's St. Matthew's Church killed three and injured 40. On November 23 2004, St. George's Catholic Church in Baghdad received its second attack in a 2-week period.

On December 7 2004, the Armenian Catholic Church in Mosul was destroyed in a terrorist bombing. The Government conducted an investigation early in 2005; however, the results of that investigation were not released, and the Government has not provided funding to rebuild the structure as of the end of the reporting period. Several hours after the Armenian Church bombing, a group of armed intruders attacked the Chaldean Bishop's Palace, also in Mosul, and detonated explosive devices. Efforts to rehabilitate the Palace were started, but the work was halted due to lack of funds and security concerns.

On January 17 2005, insurgents kidnapped a Syrian Catholic Archbishop in an ambush in Mosul. The archbishop was released unharmed 2 days later.

Although Sabeen leaders stated that their community was targeted more for its perceived wealth than for its religion, there were reports that Islamic extremists threatened, kidnapped, and even killed Sabeens for refusing to convert to Islam.

On January 16, the President of the Mandaean Supreme Spritual Council, Basra Branch, was shot and killed after being approached by three gunmen who demanded that he convert to Islam. The Sabeen Mandaean Association in Australia reported that, on February 7, a group of Muslims approached a Sabeen deacon and priest trainee in Al Sowaira, demanding that he convert to Islam and assist in the conversion of other Sabeens. The deacon was severely beaten when he refused and an attempt was made to shoot him, but the gun misfired.

On February 15, armed men confronted Wafsi Majid Kashkul at his Baghdad jewelry store and demanded that he convert to Islam. When Kashkul refused, the men shot him and left without stealing anything from the shop. On March 14, three Sabeen brothers, Anweer, Shaukai, and Amer Juhily, reportedly were kidnapped from their Basrah home. The kidnappers demanded that the brothers convert to Islam; they refused and were shot and killed.

In addition to targeting non-Muslims, terrorists continued to attack both Sunni and Shi'a communities during the reporting period. Insurgents attacked mosques in Sunni and Shi'a neighborhoods and killed clerics, other religious leaders, and private citizens of both sects. According to the Sunni and Shi'a Waqfs, approximately 50 Shi'a and 15 Sunni mosques were bombed during the reporting period. There were also accusations that both insurgents and militia wore police uniforms to incite sectarian violence and discredit the Government in the eyes of the public.

On September 20 2004, two Sunni clerics were killed in Baghdad, and three officials from SCIRI were also shot and killed. Sheikh Muhammed Jadoa al-Janabi, was killed in Baghdad's predominantly Shi'a al-Baya neighborhood, and armed men kidnapped and killed Sheikh Hazem al-Zeidi as he left a mosque in Baghdad's Sadr City district. Two bodyguards were also taken hostage but later released.

On November 23 2004, masked gunmen killed a Sunni cleric north of Baghdad. Sheikh Ghalib Ali al-Zuhairi, a member of the Muslim Scholars Association, was shot while leaving a mosque in the town of Muqdadiyah and died in the local hospital. On November 22, Sheik Faidi Faidi, also a member of the association, was shot and killed in Mosul.

On December 4 2004, a suicide bomber blew himself up near a Shi'a mosque in Baghdad's Sunni district of al-Adhamiya. The attack killed 16 persons and wounded more than a dozen others. Al-Zarqawi's organization, Group of Jihad in the Country of Two Rivers, claimed responsibility for the bombing on its website.

On January 12 2005, gunmen assassinated a representative of the Grand Ayatollah Ali al-Sistani, the country's leading Shi'a spiritual leader. Sheikh Mahmoud al-Madaini, his son, and four bodyguards were killed in the attack, which took place in the town of Mada'in.

On March 10, a suicide bomber blew himself up during a funeral ceremony for Shi'a religious leader Sayyid Hashem Araj in Mosul. It was reported that the explosion killed between 30 and 47 people and injured dozens more.

On May 14, the bodies of 10 Shi'a soldiers were found in Ramadi, which is located in the largely Sunni Al Anbar Province. On May 15, 13 blindfolded and bound men, who appeared to be Sunni, were found shot and killed in Baghdad in the same Shi'a district where the bodies of 14 Sunni were found the previous week. Eleven bodies were found at another Baghdad location on the same day, and another 11 bodies, reported to be those of Shi'a ambushed by Sunni guerrillas, were discovered south of Baghdad.

On May 20, the Imam of Baghdad's Al Hamza Mosque, Sheikh Ayad Khalid Muhammed al Samaraie, disappeared. His body subsequently was discovered in Baghdad's Al-Shoa'ala neighborhood. Samaraie had been shot in the head, and his body showed signs of torture.

On June 4, a suicide bomber blew himself up in a group of Sunnis as they were participating in a religious session in a house in central Balad. The attack killed 10 and wounded 12 persons.

#### *Improvements and Positive Developments in Respect for Religious Freedom*

Despite the tenuous security environment and the Government's preoccupation with fighting the insurgency and rebuilding the country's infrastructure, the Government made improvements in respect for religious freedom during the reporting period. Although Shi'a Arabs are the largest religious group, Sunni Arabs were at a distinct advantage in all areas of secular life--civil, political, military, and economic--under the former regime. The Government for decades conducted a brutal campaign of killing, summary execution, and protracted arbitrary arrest against the religious leaders and followers of the majority Shi'a Muslim population and sought to undermine the identity of minority non-Muslim groups.

During the reporting period, the Government did not engage in the persecution of any religious group. The largely Shi'a Transitional Government routinely called for tolerance and the acceptance of all religious minorities. While the Sunni minority did not broadly participate in the January elections, resulting in only nominal representation in the TNA, the Transitional Government made special efforts to reach out to that community, as well as other religious minorities, to encourage Sunni participation in the political and constitutional development processes. Although the Constitutional Committee comprises only TNA members, it agreed to include a group of Sunnis to ensure adequate representation by that community. The Government agreed to allot the Sabeans a seat on the Committee as well.

During the reporting period, government leaders repeatedly spoke of the need for all citizens to unite--regardless of religious orientation--to confront terrorism and often emphasized their commitment to equal treatment for all religions and ethnicities. Prime Minister Ibrahim Jafari frequently expressed his concern over implications of the Government's involvement in violence against the Sunni Arab minority, and Minister of Interior Baqr Jabr undertook investigations of alleged ISF involvement in the unlawful detention, torture, and murder of Sunnis; however, by the end of the reporting period, no information regarding such investigations had been released to the public. The Government also made clear it would not exempt mosques and homes of religious leaders from assault if they were being used as insurgent strongholds.

In his first address to the country on May 3, the Prime Minister emphasized the diversity of his ministers but emphasized that they would work for a unified nation. The Government also publicly denounced all incidents of sectarian violence and, as such violence escalated in early May, repeatedly encouraged unity among the county's religious sects.

In a May 16 meeting with leading Shi'a cleric Grand Ayatollah Ali al-Sistani, Prime Minister Jafari stated that the Government would "strike with an iron fist against any criminal who tries to harm a Sunni or Shi'a citizen."

On May 17, Minister of Defense Sad'un al-Dulaimi ordered the ISF to cease raids against Sunni and Shi'a mosques, saying that raids targeting mosques had increased and that they contradicted the principles of Islam. However, Dulaimi subsequently announced that the ISF would continue to raid mosques in which there were terrorists and weapons caches.

On June 5, Prime Minister Jafari met with Armenian Christian leaders to discuss the problems they faced. The Prime Minister agreed to provide security for all mosques and churches in the country and reaffirmed his commitment to protecting the right of all citizens to freedom of religion.

The Government also provided assistance to rebuild religious sites that were damaged by the insurgency. In November 2004,

the Church of Septeen, which was damaged by a car bomb in Babhdad's Al Andules Square, received \$100,000 (150 million dinar) from the Government for reconstruction efforts.

Religious leaders reported that they generally had good relations and worked together to promote interfaith understanding. The Sabeans sought the assistance of the Grand Ayatollah Sistani, SCIRI's Hakim, Prime Minister Jafari, and Muqtada al-Sadr in supporting minority rights.

Religious leaders of all faiths condemned the terrorist acts committed by the insurgency and urged the country's religious communities to refrain from retaliation and join together to end the violence.

On October 30 2004, a delegation of Chaldean Christians met with Grand Ayatollah al-Sistani to discuss efforts for building peace in the country.

On May 6, Sunnis and Shi'a joined together in protest of sectarian violence at the Al-Haq Mosque, where a mass joint prayer was held. On May 7, the Sunni Waqf in southern Iraq forbade the targeting of ISF of different ethnicities or political affiliations, stating that the country was suffering from a wave of distorted religious injunctions, or fatwas.

Similarly, in a May 19 statement, SCIRI leader Hakim told clerics, "Shi'a and Sunni alike," to unify against terrorists who were calling for sectarian war. Muqtada al-Sadr also called on both Sunni and Shi'a to show self-restraint in the face of the violence that targeted both groups and condemned such acts.

The Sunni Waqf's final communiqué from its May 21 conference stated that participants condemned sectarianism and discrimination and emphasized brotherhood amongst all citizens. The conference also condemned the random killings and attacks against mosques, including Shi'a mosques, as well as churches.

On May 28, prominent Shi'a cleric Muqtada al-Sadr, Muslim Scholars Association Head Sheikh Harith al-Dhari, and SCIRI Head Abd-al-Aziz Hakim discussed ways to end sectarian violence and agreed to form groups to discuss accusations of revenge killings and to seek peaceful solutions to the violence. Talks subsequently stalled over al-Dhari's accusations regarding Shi'a involvement in Sunni killings.

### **Section III. Societal Attitudes**

The country's cultural, religious, and linguistic diversity is far better reflected in its political and economic structure than prior to the 2003 liberation. Shi'a Arabs, the religious majority of the population, were long disadvantaged economically, politically, and socially, but now constitute the majority in the Government.

Despite these changes, conservative and extremist Islamic elements continued to exert tremendous pressure on society to conform to their interpretations of Islam's precepts. Although this impacted both the Sunni and Shi'a secular Muslim population, non-Muslims were especially vulnerable to the pressure and violence because of their minority status and the lack of protection provided by a tribal structure.

The Sunni claimed general discrimination--alleging revenge by the majority for the Sunnis' favored status under the former regime, but also because of the public's perception that the insurgency was composed primarily of Sunni extremists and former regime elements with whom the majority of the Sunni population supposedly sympathized. While some within the Sunni community supported and even assisted the insurgency, many denounced the terrorism as vocally as their non-Sunni counterparts.

Non-Muslims, particularly Christians, complained of being isolated by the Muslim majority because of their religious differences. Despite their statistically proportional representation in the National Assembly, many non-Muslims said they were disenfranchised and their interests not adequately represented.

In an April 20 missive to the Democratic Assyrian Party, the Kurdistan Islamic Union discouraged proselytizing, the distribution of Bibles, and the conduct of Christian conferences as contradicting the precepts of Islam. The letter further suggested that the Party take appropriate measures to avoid "future tragedies" that could result because of this "irresponsible" behavior.

The combination of discriminatory hiring practices, attacks against non-Muslim businesses, and the overall lack of rule of law have also had a detrimental economic impact on the non-Muslim community and contributed to the significant numbers of non-Muslims who left the country. The Armenian Diocese estimated that the number of destitute Armenian Christians, for example, had grown by 50 percent since 2003--a condition exacerbated by the inadequate security environment, which hampers Armenian Christians' ability to find employment. Terrorist threats have compelled tens of thousands of Christians, including Armenian Orthodox and Chaldean Christians, to leave the country in the wake of church bombings in 2004.

There were relatively few manifestations of anti-Semitism in the country, primarily because of the tiny size of the Jewish population; however, anti-Semitic feeling remained a cultural under-current. According to the head of the Christian and Other Religions Endowment, the country's 2,700-year-old Jewish population had dwindled to only 20 people in the Baghdad area. There were also unverified reports of small numbers of Jews living in Kurdish areas. Only one synagogue remained in

Baghdad's once-Jewish district of Bataween. The synagogue was unmarked and active only on high holy days.

There were unfounded rumors (sometimes spread in flyers distributed by anti-Government extremist groups) during the reporting period that Jewish expatriates were buying up real estate in an attempt to reassert their influence in the country. Another sign of anti-Semitic feeling was the hostile reaction that Sunni politician Mithal al-Alusi generated when he attended an international conference in Tel Aviv in September. Al-Alusi was indicted, but not prosecuted, under Saddam-era rules prohibiting visits to "enemy countries" and dismissed from his position in the Iraqi National Congress political party.

#### **Section IV. U.S. Government Policy**

The U.S. Government is committed to promoting religious freedom and continues to work closely with the Government on this as part of its overall policy to promote human rights. U.S. officials at all levels, including the Secretary of State, members of Congress, the Ambassador, and Embassy officers, regularly engaged the Government on problems relating to freedom of religion. This took the form of public statements calling for unity in the face of sectarian violence, high-level meetings with government officials and religious leaders, and working-level interaction urging representatives of the Government and religious organizations to include minorities. The Embassy also facilitated interfaith discussion by hosting meetings, roundtables, and other events with all member faiths of the country's diverse religious communities, and funded training, seminars, conferences, and exchange programs to promote religious understanding and tolerance. At the same time, the U.S. Government has stressed that Coalition Forces will not forswear removing insurgents or weapons caches stored in mosques or the homes of religious leaders and arresting religious leaders who materially help the insurgency.

The Embassy's primary focus during the reporting period was on reducing sectarian violence, increasing Sunni and non-Muslim inclusion in the political and constitutional development processes, and increasing interfaith understanding. The U.S. worked to increase Sunni inclusion in the political process by providing technical assistance to Sunni leaders. U.S.-funded projects worked with religious minorities by bringing together members of different religious and ethnic backgrounds to discuss common issues. The U.S. also conducted a significant amount of conflict mitigation at the local level through its Community Action Program (CAP). Under the CAP, community groups were formed with diverse membership, including women and youth, in an effort to promote reconciliation. In ethnically or religiously mixed communities, these community groups included representatives from all segments of society. These groups identified and prioritized their needs and developed projects to address those needs. The projects did not specifically target any one ethnic or religious group for assistance. Rather, they sought opportunities to bridge differences.

At the request of leading Shi'a and Sunni clerics, the U.S. Institute of Peace (USIP) funded the establishment of an interfaith dialogue center to help unite religious groups against violence and foster an environment of tolerance, particularly between the Sunnis and Shi'a, as well as towards Christians and others. USIP trained 113 provincial-level government and civil society officials in interethnic facilitation. Twenty-five facilitators received advanced training and began establishing programs in their communities. USIP held workshops for students at the University of Kirkuk as well as inter-communal conflict management programs for political and civil society representatives in Baghdad. Also implemented and featured on national television and print media were awareness workshops on intercommunal tolerance for Shi'a and Sunni mothers and schoolteachers in Baghdad.

Projects totaling more than \$38.8 million (approximately 58 billion dinar) were completed in areas with a significant Christian presence. Additional projects totaling approximately \$272 million were underway at the end of the period covered by this report.

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